

REGULAR MEETING OF COMMON COUNCIL

A regular meeting of the Common Council of the City of Chippewa Falls was held on Tuesday, May 5, 2009 at 6:30 PM in the City Hall Council Chambers. Mayor Gregory Hoffman presiding. The Pledge of Allegiance was given.

CLERK CALLS THE ROLL

Council members present: Michael Dahlby, Brian Flynn, CW King, Jason Anderson, Donald Baker, Dennis Doughty, Susan Zukowski.

City staff present: City Planner Jayson Smith, Public Works Director/City Engineer Rick Rubenzer, Police Chief Wayne Nehring, Fire Lieutenant Dan Meagher.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

(a) Motion by Doughty/Zukowski, all present voting aye, to approve the minutes of the regular council meeting of April 21. **Motion carried.**

(b) Motion by Flynn/Anderson, all present voting aye, to approve the minutes of the (second) regular council meeting of April 21 with the following correction: change the word "appointed" to "elected" for the motion relating to Item (a). **Motion carried.**

PERSONAL APPEARANCES BY CITIZENS

Sandra Martineau, Irvine Court, Chippewa Falls, still feels the sand plant issue should be reconsidered and more research done. **Susan Holm**, W. Columbia Street, Chippewa Falls, wants a public hearing on the sand plant issue. She believes there are many issues to consider including those not monitored by the DNR. **Pat Popple**, Summit Avenue, Chippewa Falls, asked the Council to consider during the closed session tonight issues relating to whether or not there is a valid CUP; a challenge against the developer's agreement; physicians caution about the effects of the sand processing plant; and the draft of air quality permit. She urged the Council to gather all the facts before making any further decisions. **Jane Lardahl**, Weather Ridge Road, Chippewa Falls, commented the City should reconsider the sand mine issue and how it affects the Wissota Green development due to the short distance between the two. **Shannon Meindel**, Elm Street, Chippewa Falls, indicated there are inconsistencies on both sides of the sand mine issue and hopefully the new council might be able to relay more information back and forth. She stated the future depends on the community as a whole and what effect the processing plant will have.

PUBLIC HEARINGS None

COMMUNICATIONS

(a) Motion by Doughty/King, all present voting aye, to approve the communication from Chippewa Falls Main Street requesting permission to use Harmony Courtyard for summer concert series Thursday nights from 5-7 PM June 4 through August 27. **Motion carried.**

(b) Motion by Doughty/Anderson, all present voting aye, to approve the communication from Chippewa Falls Main Street regarding request to continue the tradition of firing a cannon for The Past Passed Here. **Motion carried.**

REPORTS

(a) Motion by Flynn/Zukowski to approve the minutes of the Board of Public Works meeting of April 27. The Council discussed the minutes. **There was a motion by King and seconded by Dahlby** to amend Item (3) to approve the \$4000 application fee but not the \$12,000 administration costs for the S.E.H. contract. **After a roll call vote, the amendment passed unanimously. A roll call vote was taken on the motion to approve the minutes which passed unanimously.**

REPORTS(cont.)

(b) Motion by Doughty/Zukowski to approve the minutes of the Special Board of Public Works meeting of May 1. The Council discussed this matter. **There was a motion by King and seconded by Anderson** to amend the Item (1) motion to include the words “for the 2009 Hot Mix Asphalt.” **This amendment was approved unanimously by a roll call vote. The motion to approve the minutes was then approved unanimously by roll call vote.**

APPLICATIONS

(a) Motion by Doughty/Zukowski, all present voting aye, to approve the six Operator (Bartender) licenses as recommended by the Police Department. **Motion carried.**

Brianna Anderson, 210 ½ E. Grand Avenue, appeared to ask the Council to approve her Operator License recommended for denial by the Police Department. **Motion by Zukowski/Doughty, all present voting aye**, to deny the operator license application of Brianna Anderson as recommended by the Police Department. **Motion carried.**

Motion by Doughty/Anderson, all present voting aye, to deny the license operator application of Mitchell Wedemeyer as recommended by the Police Department. **Motion carried.**

(b) Motion by Doughty/Flynn, all present voting aye, to approve the Application of Knights of Columbus for a Temporary Class “B”/”Class B” Retailer’s License for a Benefit for Lori Trautt on May 17. **Motion carried.**

(c) Motion by Anderson/King, all present voting aye, to approve the Street Use Permit Application of Chippewa Falls Main Street for corner of Bridge Street and River Street for the Farmer’s Market on Saturdays from June 6 – Oct. 24. **Motion carried.**

(d) Motion by Zukowski/Flynn, all present voting aye, to refer the Street Use Permit Application of Chippewa Falls Main Street for Bridge Street from Central to Grand Ave. for Downtown Farmer’s market on Thursdays June 11– October 29 to Council Committee #3 for further review and analysis. **Motion carried.**

(e) Motion by Flynn/Baker, all present voting aye, except Dahlby, King, Anderson, Doughty, and Zukowski, to approve the Sidewalk Use Permit Application of The Final Touch, 101 Bay Street.

Motion to approve failed. Motion by Zukowski/Baker, all present voting aye, except Flynn who voted nay, to refer this application to Committee #3 for review. **Motion carried.**

(f) Motion by King/Flynn, all present voting aye, to approve the Sidewalk Use Permit Application of Olson’s Ice Cream, Inc., 611 N. Bridge Street. **Motion carried.**

(g) Motion by Anderson/Doughty, all present voting aye, except Zukowski who abstained, to approve the Class B Beer/Liquor Application of Todd and Susan Zukowski for Valley’s Restaurant at Timber Terrace, 1117 Pumphouse Road. **Motion carried.**

(h) Motion by King/Anderson, all present voting aye, to approve the Street Use Permit Application of American Legion Post 77 for Memorial Day Parade on May 25. **Motion carried.**

PETITIONS None

MAYOR ANNOUNCES APPOINTMENTS None

MAYOR’S REPORT

(a) Mayor Hoffman read an Arbor Day Proclamation declaring May 8, 2009 as Arbor Day in the City of Chippewa Falls urging all citizens to support efforts to care for our trees; and plant trees to gladden the hearts and promote the well-being of present and future generations.

COUNCIL COMMITTEE REPORTS

(a) Motion by Doughty/Anderson, all present voting aye, to approve the minutes of the Committee on Committees meeting of April 30. **Motion carried.**

REPORT OF OFFICERS

(a) Council President Susan Zukowski provided updates on the canine leisure area and indicated the ad hoc committee is looking at different sites and possible funding of the dog park from donations. President Zukowski indicated once all members of Police Department Merger Committee are appointed they will begin a cost/benefit analysis of merging the Lake Hallie and Chippewa Falls Police Departments. She also mentioned the transition of City dispatch to County Dispatch is in the early stages and that Committee #3 will be addressing this matter.

ORDINANCES

(a) **Motion by King/Flynn** to approve **Ordinance 2009-07 Entitled:** An Ordinance Revising Chapter 13 of the City of Chippewa Falls Municipal Code. **After a roll call vote, said motion passed unanimously.**

(b) The first reading of **Ordinance 2009-08 Entitled:** An Ordinance Amending the Zoning Code of the City of Chippewa Falls was held. *(Parcels 1703.03 & 1703.04 Lots 3 & 4 of Gateway Center Plat from C-4 Highway Commercial to R-3A Multi Family Residential District.)*

RESOLUTIONS

(a) **Motion by Doughty/King** to approve **Resolution 2009-12 Entitled:** Authorization to Submit CDBG Housing Application. **After a roll call vote, said motion passed unanimously.** Ruth Rosenow, Housing Director, provided a summary to the Council about the housing program and potential funding available.

(b) **Motion by King/Zukowski** to approve **Resolution 2009-13 Entitled:** Resolution Establishing Procedures Relating to Compliance with Reimbursement Bond Regulations Under the Internal Revenue Code including the Exhibit A and Certification attached to it. **After a roll call vote, said motion passed unanimously.** Brian Reilly, Ehlers & Associates, explained to the Council the purpose of this resolution and answered questions from the Council.

OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW

(a) In conjunction with the reimbursement resolution above, Brian Reilly, Ehlers & Associates presented information regarding services his firm has provided to City of Chippewa Falls.

(b) **Motion by Zukowski/Doughty** to approve the ratification of the Offer to Purchase with CFMIT. **After a roll call vote, said motion passed unanimously.**

(c) The Council decided to hold the council orientation session on May 18th at 5:30 PM.

(d) The Council set the following meeting dates for the Council Committees: Committee 1 will meet at 5 PM the Wednesday following the first council meeting of the month; Committee 2 will meet at 7 AM the Thursday following the first council meeting; Committee 3 will meet at 8 AM the Thursday following the first council meeting; Committee 4 will meet at 8 AM the first Tuesday of the month. Additional meetings will be scheduled as needed.

CLAIMS

(a) The Claims Committee met at 6:00 PM before the regular meeting to review the claims for payment by the various departments of the city. **Motion by Anderson/King** to approve the payment of the claims listed below. **After a roll call vote, said motion passed unanimously.**

City General Claims and
Authorized/Handwritten Claims: \$73,667.27

CLOSED SESSION(8:10 PM)

Motion by Doughty/Dahlby to go into closed session under 19.85(1)(e) for "deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other

CLOSED SESSION(cont.)

specified public business, whenever competitive or bargaining reasons require a closed session” to **(a)** Consider Offer to Purchase from CSP Plant Property Holdings, LLC to purchase approximately three acres at the end of Halbleib Street and to allow City Engineer Rick Rubenzer, City Planner Jayson Smith, City Clerk Lynne Bauer and City Attorney Bob Ferg to attend; may return to open session. **After a roll call vote, said motion passed unanimously.**

The council discussed this matter.

Motion by Anderson/King, all present voting aye, to go back into open session. Motion carried.

ADJOURNMENT

Motion by Doughty/Zukowski, all present voting aye, to adjourn at 8:58 PM. Motion carried.

Submitted by

Lynne Bauer, City Clerk